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| 09/869,182 | 05/21/2002 | Karl-Heinz Sternemann | WALNG1.001APC | 2243 |
| 20995 | 7590 | 09/27/2004 | EXAMINER | |
| KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 | | | NGUYEN, CAM LINH T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2171 | |

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,182

Applicant(s)

STERNEMANN, KARL-HEINZ

Examiner

CamLinh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7, 11-22, 24-28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) 8-10, 23, 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show labels the number in the Figures 1, 4 -5 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because some of the drawings are not clear to view such as Fig. 6 – 17 (they are too dark and the letters are too small). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior

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version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 7, 11 – 22, 24 – 28, and 30 – 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Pouschine et al (U.S. 5,918,232).

♦ As per claim 1, 31 – 32,

Pouschine discloses a procedure for processing data objects including:

- “ A data space, in which data objects are arranged” See Fig. 1, col. 9, lines 8 – 13. the “Data space” corresponds to the “persistent object manager” 20 which is the permanent storage.
- “ A multi-dimensional information space that has at least two virtual dimensions and preferably also at least one third virtual dimension” See Fig. 2, col. 9, lines 52 – col. 10, lines 6.
- “ Whereby said information space has in at least one dimension a large amount of discrete memory locations suitable to represent information objects” col. 9, lines 60 – 67.
- “ Whereby each of said information objects represent at least one information base-object” see col. 10, lines 40 – 46.
- “Whereby each information base-object comprises at least the following properties”
 - “ At least one pointer data that is characteristic for the position of at least one data object in the data space” See Fig. 5. The “arrows” that connected the data correspond to the “pointer data” or col. 15, lines 9 - 11.
 - “ At least one property data for at least one virtual dimension of said information space” See Fig. 5, where the “property data” can includes the data in “revenue and expense” levels.
- “ Wherein at least one set of instructions is provided with at least one instruction for the processing of said data object” col. 7, lines 61 – 63, col. 10, lines 13 – 15, 54 - 56, col. 11, lines 49 – 51, col. 12, lines 9 – 11.
- “ Wherein at least one computing device controlled by at least one processor is provided” See Fig. 1, col. 8, lines 50 – col. 9, lines 51.

◆ As per claim 2, Pouschine discloses:

- “ At least one virtual dimension is hierarchically structured, whereby a position of an information object within the hierarchy is preferably defined by said property data of said information object” See Fig. 5, col. 10, lines 40 – 46, col. 11, lines 28 – 48.

◆ As per claim 3, Pouschine discloses:

- “ Said information base object has at least one property data for substantially every virtual dimension, whereby for several virtual dimensions said property data can be represented as a property vector” See Fig. 2 – 5, col. 10, lines 40 – 46, col. 11, lines 28 – 48.

◆ As per claim 4, Pouschine discloses:

- - “ Said instruction set, of which there is at least one, is taken from a group of instruction sets, which comprise base, organization, request, creation ...” col. 10, lines 13 – 15, 54 – 56, col. 12, lines 9 – 11.

◆ As per claim 5 - 7, Pouschine discloses:

- “ Said procedure can be influenced by transferring at least one control vector comprising at least one address vector, whereby said address vector is characteristic for a position of one instruction set” See col. 12, lines 14 – 26. Since the user can customize the rule, therefore, the address of an element can be changed and the procedure can be influenced.
- “ Said control vector comprises at least one instruction vector that is characteristic for at least one predefined instruction set” See col. 12, lines 8 – 14. The “predefined instruction set” corresponds to the “standard formula”.

- “ Said control vector comprises at least one property vector, which characterizes at least one part of said information space” See col. 18, lines 26 – 57.

◆ As per claim 11, 25 – 26, Pouschine discloses:

- “ Said procedure is executed on a first computing device, whereby a user can control said process from a second computing device that is connected with said first computing device via at least one data connection” See Fig. 1, where the “DOLAP client” device is corresponding to first device which controls the second device (the DOLAP server). The “one data connection” corresponds to the communication 46 in fig. 1.

◆ As per claim 12, Pouschine discloses:

- “ Said information space contains at least one virtual type dimension” See Fig. 2 – 5, col. 2, lines 1 – 8.

◆ As per claim 13 - 14, Pouschine discloses:

- “ For at least one information object at least one type data is derived from said pointer data of said data object, whereby in a separating device said pointer data of said data object is separated into name elements and said at least one type data is derived from at least one characteristic name element” See Fig. 5, the table data.

◆ As per claim 15, Pouschine discloses:

- “ At least one information object contains ... data of time...” See Fig. 3, and 5, table data. Wherein the “Year” corresponds to the data of time.

◆ As per claim 16, Pouschine discloses:

- “ Said object type of said data object ... containing various known data formats ... text files, spreadsheet files” See col. 11, lines 28 – 40.

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◆ As per claim 17, 19, Pouschine discloses:

- “For at least one information object at least one description field is provided” See col. 7, lines 1 – 6, col. 15, lines 25 – 28.

◆ As per claim 18, 24, Pouschine discloses:

- “An information object can have at least one connection to at least one further information object” See Fig. 5.

◆ As per claim 20, Pouschine discloses:

- “At least one first characteristic content data ... is compared ... with at least one second ...data” col. 21, lines 50 – 57, col. 30, lines 65 – 67.

◆ As per claim 21 - 22, Pouschine discloses:

- - “At least one virtual connection space has at least two dimensional connection table”
See Fig. 2 – 4, col. 7, lines 1 – 6, col. 15, lines 25 – 28.

◆ As per claim 27, Pouschine discloses:

- “At least one protocol is used” see col. 9, lines 30 – 35.

◆ As per claim 28, 30, Pouschine discloses:

- “Said data object is stored in said data sphere or in a database” See Fig. 1, col. 9, lines 8 – 13. The “Data space” corresponds to the “persistent object manager” 20 which is the permanent storage.
- “At least one connection data contains a parameter relating to a connection intensity”
col. 7, lines 3 – 6.

Allowable Subject Matter

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5. Claims 8 – 10, 23, 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the details of the procedure in transferring a control vector, a pointer data, a data object, taken with the other limitations of the claim, were not disclosed by, would not have been obvious over, nor otherwise fairly disclosed by the prior art of record.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- "Data mining and knowledge discovery 1", 29 – 53 (1997), IBM research.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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